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## **Justice Department alleges Olathe apartments not accessible to disabled**

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The Justice Department has sued the developers, contractors, architect and civil engineer of two large apartment complexes in Olathe, alleging violations of the Fair Housing Act requirement that multifamily housing be accessible to the disabled.

The lawsuit involves the Ridgeview Apartments, a 384-unit complex on 119th Street east of Ridgeview Road, and the Indian Meadows Apartments, a 148-unit complex at 119th Street and Black Bob Road.

"We continue to place a high priority on assuring that persons with disabilities have the same opportunities to rent and buy condominiums as everyone else," said Ralph F. Boyd Jr., assistant attorney general for civil rights, in a written statement.

"When architects, developers, contractors and civil engineers fail to design and construct housing so it is accessible, they effectively take that housing off the market for people who have, or will develop, a disability."

The suit, filed in federal court in Kansas City, Kan., is the second brought by the Justice Department against two of the defendants, LNL Associates/Architects and Allenbrand-Drews and Associates Inc., a civil engineering firm.

Last May, the department made similar allegations against the firms for their work on two other Olathe apartment complexes, Homestead Apartment Homes and Wyncroft Hill Apartments, both near 119th Street and Black Bob Road.

Michael Norris, a lawyer for LNL and Allenbrand-Drews, said his clients "vigorously dispute the allegations."

He said many of the alleged violations are "very minor," and added: "We regret that the government elected to spend the taxpayers' money by filing suit prematurely. We look forward to having our day in court so that we can respond to a judge and jury."

Both suits arose after Legal Aid of Western Missouri sent trained inspectors, acting as prospective renters, to check on the accessibility of apartment complexes in the area. The

suits were filed after Legal Aid filed complaints with the U.S. Department of Housing and Urban Development and efforts to resolve the complaints fell through.

The lawsuit over Ridgeview and Indian Meadows alleges numerous violations of the accessibility requirements of the Fair Housing Act, which requires that multifamily housing built since 1991 be accessible to people with disabilities.

The alleged violations include doors that are too narrow for wheelchairs, steps and thresholds that are barriers to access, and kitchens and bathrooms with insufficient space for people using wheelchairs to move freely.

The suit also charges the defendants with violations of the Americans With Disabilities Act because the common areas of the complexes' clubhouse rental offices are allegedly not accessible to the disabled.

The suit seeks a court order requiring the defendants to correct the alleged violations, to pay compensation to people with disabilities whose rights were allegedly violated, and to pay civil and punitive penalties.

Besides LNL and Allenbrand-Drews, the suit names as defendants Gary Allenbrand and Loren Drews, principals of Allenbrand-Drews; and developers or contractors R.L. Davis, R.L. Davis Co., Porta-McCurdy Development Co., Summit Contractors Inc., Olathe Leased Housing Associates I, Olathe Leased Housing Associates II, NHG Olathe Partners, Nationwide Housing Group, Dominion Kansas One and Dominion Olathe Partners.

Also named is Dominion Management Services Inc., property manager of the two apartment complexes. The Justice Department said the firm was named as a party because its services may be required to implement a remedy.

Blois Olson, a spokesman for Minneapolis-based Dominion, said the company didn't build the complexes but only acquired them.

"We've been fully cooperating with the Department of Justice throughout the whole process and we'll continue to do so," he said